

SCOTT STEARNS

FULL NAME

DONALD KINDER

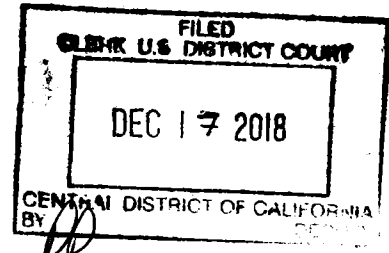
COMMITTED NAME (if different)

630 E. PALM ST. SAN BERNARDINO, CA 92415

FULL ADDRESS INCLUDING NAME OF INSTITUTION

1B29371202

PRISON NUMBER (if applicable)



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SCOTT STEARNS

PLAINTIFF,

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT, ET AL.

DEFENDANT(S).

CASE NUMBER

CV18-02610-RSW-JDE

To be supplied by the Clerk

CIVIL RIGHTS COMPLAINT
PURSUANT TO (Check one)

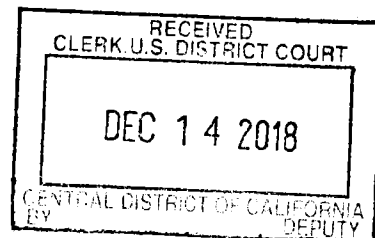
☒ 42 U.S.C. § 1983☒ Bivens v. Six Unknown Agents 403 U.S. 388 (1971)

A. PREVIOUS LAWSUITS

1. Have you brought any other lawsuits in a federal court while a prisoner: ☒ Yes ☐ No
2. If your answer to "1." is yes, how many? 3

Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.)

conditions of confinement.
illegal due process on gang validations
Cruel and unusual punishment



- a. Parties to this previous lawsuit:
 Plaintiff Scott STEARNS
 Defendants PHILIP MARES, et al...
- b. Court U.S.D.C. EASTERN DISTRICT AND (2) U.S.D.C. N.D.CAL.
- c. Docket or case number CAN'T RECALL
- d. Name of judge to whom case was assigned CAN'T RECALL
- e. Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it appealed? Is it still pending?) JURY TRIAL LAST (2) DISMISSALS
- f. Issues raised: CRUEL AND UNUSUAL PUNISHMENT
DUE PROCESS
FAILURE TO PROTECT
- g. Approximate date of filing lawsuit: 2000
- h. Approximate date of disposition 2007 to 2009

B. EXHAUSTION OF ADMINISTRATIVE REMEDIES

1. Is there a grievance procedure available at the institution where the events relating to your current complaint occurred? ☒ Yes ☐ No
2. Have you filed a grievance concerning the facts relating to your current complaint? ☒ Yes ☐ No
- If your answer is no, explain why not _____

3. Is the grievance procedure completed? ☒ Yes ☒ No

If your answer is no, explain why not NAIF ARE, DEPUTIES DELAYED OTHER
NAIF VIOLATING DUE PROCESS TIME LIMITS

4. Please attach copies of papers related to the grievance procedure. SEE EXHIBIT ENCLOSED

C. JURISDICTION

This complaint alleges that the civil rights of plaintiff Scott STEARNS
(print plaintiff's name)

who presently resides at 630 E. RIALTO AVE SAN BERNARDINO, CAL 92415
(mailing address or place of confinement)

were violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at
CENTRAL DETENTION CENTER SHELPPS JAIL
(institution/city where violation occurred)

on (date or dates) 9-29-18 (Claim I), THRU 11 (Claim II), Present (Claim III).

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

1. Defendant JOHN DOE #1 (full name of first defendant) resides or works at
630 E. RIALTO SAN BERNARDINO, CA 92415 (full address of first defendant)
DEPUTY SHERIFF SERGEANT (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

Reviewed Grievances By illegally denying, threaten me with Retaliations For Grievances & disciplines.

2. Defendant (DUNCAN) JOHN DOE #2 (full name of first defendant) resides or works at
630 E. RIALTO SAN BERNARDINO, CA 92415 (full address of first defendant)
SMASU DEPUTY SHERIFF (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

Reviewed Grievances, denied A.D.A. Red moves, and manipulated Red moves to cause me trouble.

3. Defendant JOHN DOE #3 (full name of first defendant) resides or works at
630 E. RIALTO SAN BERNARDINO, CA 92415 (full address of first defendant)
A.D.A. COORDINATOR (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

HAS done nothing to help my medical A.D.A. issues, denied ALL Grievances AS OF 12-10-18 AS A.D.A. SHERIFF COORDINATOR, despite C.D.C.R. Filing them in A.D.A. inmate, in October or Early November 2010.

4. Defendant (Ditto) JOHN DOE #4 resides or works at
(full name of first defendant)
630 E. RIALTO SAN BERNARDINO, CA 92415
(full address of first defendant)
COOK IN SAN BERNARDINO JAIL
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

SHORTEN CALORIE COUNTS ON HALAL Religious diets
ROUTINELY, AS WELL AS ALL INMATES DIETS.

5. Defendant JANE DOE #1 resides or works at
(full name of first defendant)
630 E. RIALTO SAN BERNARDINO, CA 92415
(full address of first defendant)
NURSE PRACTITIONER
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

SAW ME AT SICK CALL AND DID NOT ADDRESS ANY OF
MY A.D.A. ISSUES EXCEPT LOWER BACK PAIN.

6. JOHN DOE #5, 630 E. RIALTO SAN BERNARDINO, CA
92415. CHAPLAIN AT C.D.C. SHORTLY'S JAIL.

I ASKED FOR Religious Quran, He denied, PLUS
A PRAYER Rug. GAVE me A SMALL used Towel.

Clearly Violating Religious Rights.

D. CLAIMS*

CLAIM I

The following civil right has been violated:

SAN BERNARDINO SHERIFF'S department will not help plaintiff get his A.D.A. issues addressed. such as pain management, ear hearing aid, eyeglasses, mental health meds, etc.

clearly violating state and federal constitutions on A.D.A. claims.

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

Plaintiff filed sick calls for medical multiple times.

Sheriff's department manipulated replies, only taking me to sick call once.

then Sheriff's denied grievances upon A.D.A. issues, or extensively delayed responses

Plaintiff attempted several times to settle disputes out of legal process, to no avail

see enclosed exhibit list.

*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.

Claim II

Sheriff's department will not process A.D.A. claims unless paid for one by one. Even though Plaintiff has multiple documented A.D.A. issues.

i.e. hearing aid, mental health care, foot in July medications, bifocal eyeglasses. clearly violating state and federal constitutions.

Facts

Review Jail kiosk computers to see multiple request by Plaintiff.

All were denied or manipulated by Sheriff's up to threats and retaliation bed moves.

Still no treatments for A.D.A. issues as of 12-10-18 has occurred.

Even though (Prison) C.D.C.R. has submitted a FAX to A.D.A. coordinator in C.D.C. Jail.

violating state and federal constitutions

claim III

Sheriff's department is leaving Plaintiff in pain, deaf, AND Blind in Jail, without any attempt to help him with mental health issues either.

violating state and federal constitutions

Facts

Plaintiff repeatedly submitted health request for A.D.A. issues to be addressed.

As of 12-12-18 Sheriff's has not, citing put in for each issue separately.

view Jail kiosk and see,

deputies even threatened Plaintiff's out date with a discipline.

clearly violating state and federal constitutions

CLAIM IV

Deputies clearly failed to treat Plaintiff like all other inmates.

By denying legitimate health care documented by other prison agencies to exist, and threatening his release date with disciplines.

clearly violated equal protection of state and federal constitutions.

FACTS

per Jail kiosk responses to A.D.A. grievances. Deputies clearly violated both state and federal constitutions

CLAIM VI
Kitchen staff and deputies routinely shorted NAHA diets, multiple times and meals a week, on 2000 calories a day.

clearly violating state and federal constitutions regarding religious needs and rights.

Facts

See Jail Kiosk Grievances, All denied.

(3) mornings a week NAHA diets are shorted (1) ounce peanut Butters, when diet says they get (2) ounces.

(2) times a week NAHA diets are short (1) hot dog, when diet says (3) are given. Traps only get (2) on them.

once a week Fruit Bites are given all men, yet inmates never receive them.

same for Shell Brite ice creams, to all county jail inmates regarding ice creams.

claim IV

Deputies delayed Access to this Court, By denying Access to this Form, 42. USC §1983.

Then denied Plaintiff the Right to mail it out, on 12-4-18.

violating State and Federal Constitutions Access to Courts.

Facts

check kiosk Grievances, Request, ect.

Sheriff's clearly manipulated Access to Court and Lawyers.

violating State and Federal
Constitutions.

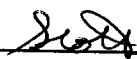
E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

- 1) Treat me for all my A.D.A. issues in a timely manner;
- 2) Declaration of Both Parties Rights;
- 3) Medical appliances and medications provided in a timely manner;
- 4) medications used in past that worked for Plaintiff;
- 5) single cell lower bed housing for Plaintiff, in a safe environment;
- 6) Religious diet that meets 2000 calories;
- 7) adequate sized prayer rug for religious prayer;
- 8) 25.2 a day until met;
- 9) All legal cost paid by defendants;
- 10) Any other issue court deems appropriate;

12-10-18

(Date)



(Signature of Plaintiff)

Exhibit List

11301810-0096077
11301810-0092869
11301810-0091959
11301810-0089782
11301810-0105475

WATH Request

R301811-0025996
R301811-002937
R301811-002927
R301811-0025791
R301811-0024657
R301811-0023791
R301811-0023341

Religious Request

Q30810-00128242
Q30810-0012801
Q30810-0012772
Q30810-0012759
Q30810-0012722
Q30810-0012662
Q30810-0012659
Q30810-0012658
Q30811-0012861
Q30811-0012850
Q30811-0012834
Q30811-0012816
Q30811-0012809
Q30812-0012876
Q unknown

Grievances

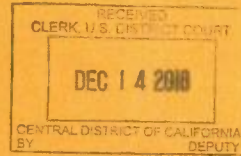
San Bernardino County Sheriff's Department
Central Detention Center
630 E. Rialto Avenue
San Bernardino, CA 92415

RETURN
SERVICE
REQUESTED

PRIORITY
FIRST CLASS



ZIP 92415
011012603261



CV

United States District Court
Central District of California
312 North Spring Street, Room G-8
Los Angeles, California 90012
Attention: Pro Se Clerk

KREJPB5 90012

